

**REMARKS**


In the Office Action of April 23, 2007, the Examiner rejected claims 1 and 2 as being anticipated by U.S. 4,953,570 (Brackmann). In addition, the Examiner rejected claims 1-3 as anticipated by U.S. 4,607,645 (Okumoto et al.). These rejections are respectfully traversed.

Claim 1 has been cancelled and the subject matter rewritten in claim 4. Claim 4 better conforms to U.S. practice. Original claim 1 and, now claim 4, recite a mesh conveyor. Forming the conveyor of mesh material lets air pass through to have greater suction to retain tobacco to the conveyor. In the Office Action, the Examiner stated that Brackmann disclosed a mesh conveyor 38. However, the conveyor is disclosed as being a suction belt 38 and there is no mention as to the material forming the belt. Likewise, Okumoto et al. discloses a porous cigarette conveyor 141' within the air suction chamber 141. While the conveyor may be formed of porous material, this does not mean that the conveyor is a mesh. There are many materials which are considered porous which cannot be considered mesh.

A three month extension of time accompanies this response. If any additional fees are due and owing, the Commissioner is authorized to charge Deposit Account No. 08-2455.

Respectfully submitted,

October 18, 2007

  
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Attorney's Docket: A-9239.AMA/bh